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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF JUNE 1998

B E F O R E

THE HON'BLE MR. JUSTICE V.K. SINGHAL

WRIT PETITION NOS.19266-271/1998

BETWEEN:

1. S.Raghava Shetty,
S/o Das Shetty, Major,
Prop. Roshan Bar & Restaurant,
C.L. 9 Main Road, Koppa,
Chickmagalur.
2. Sri Chandramohan,
C/o K.L.Mothilal Rao,
Major, Prop: Nandini Wines,
C.L. 2, N.R.Pura Taluk,
Dist: Chickmagalur.
3. L.C.Shreedhar, Major,
Proprietor, Kwality Wine Gate,
C.L. 2, Narasimha Raja Pura
Taluk, Chickmagalur Dist. - 577 134.
4. P.Raghavan, Major,
Prop. Kiran Wine Stores,
C.L.2, N.R.Pura,
Chickmagalur - 577 134.
5. K.M.Shiva Kumar, S/o K.L.Mothi-
lal Rao, Major, Prop. Shakti Bar
& Restaurant, C.L. 9, Koppa Town,
Chickmagalur.

6. K.S.Ramadas,
S/o K.Sundarajah, Major,
Prop: Madhu Wines, C.L. 2,
Main Road, Koppa Town,
Chickmagalur.

... Petitioners
Respectively.

(By Sri K.Chandrashekhara Achar for Petrs.)

AND:

1. The State of Karnataka,
Rep. by the Deputy Commissioner,
of Excise, Chickmagalur.

2. The Sub-Inspector of Excise,
Koppa Sub Range, Koppa Taluk,
Chickmagalur Dist.

3. The Sub Inspector of Excise,
N.R.Pura Sub Range, N.R.Pura
Taluk, Chickmagalur Dist. ... Respondents.

(By Smt.S.Sujatha, HCGP, for Respdts.)

These Writ Petitions filed under Articles 226 & 227 of the Constitution of India with an affidavit praying to: Declare that the demands raised by the respondents against the petitioners have neither support of law and contrary to sections 24 of Excise Act and Rule 8 of Karnataka Excise (sale of Indian and Foreign Liquor) Rules 1968 and etc.

These Writ Petitions coming on for preliminary hearing this day, the Court made the following:

... 3/-

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O R D E R

VKSJ/30-6-98.

Learned Govt. Advocate is directed to take notice.

The only prayer which has been made in these petitions is that the levy by invoking the provisions of Rule 8(d) of the Karnataka Excise Rules 1968 is not in accordance with law. Reliance is placed on the decision of this Court in the case of N.M.Mandanna & Ors. Vs. Sanjeeva Shetty & Ors. (W.P.Nos.2488 to 2495/98 and connected cases decided on 19-3-1998. Learned Govt. Pleader also submitted that the relief in accordance with the said cases may be give.

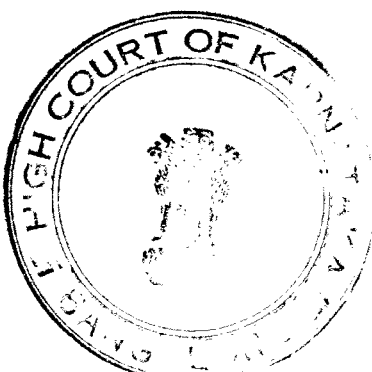
Accordingly the petitions stand disposed of with a direction that the petitioners shall also be entitled to the same relief.

Sd/- Judge.

bsr(o.s.)

r.by: VBC

c.by: 8/3/7/98



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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

